

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Leander C. Pickett,

Plaintiff,

-against-

Migos Touring, Inc. et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 12/20/2019

1:18-cv-09775 (AT) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

WHEREAS, on December 10, 2019, Defendants Migos Touring, Inc., Capitol Records, EEC, Quality Control Music, EEC, Quavious Marshall p/k/a Quavo, Kiari Cephus p/k/a Offset and Kirsnick Ball p/k/a Takeoff filed a motion for an award of attorneys' fees and costs, pursuant to Section 505 of the Copyright Act, 17 U.S.C. § 505, and Federal Rule of Civil Procedure 54(d)(2) (Motion for Attorney Fees and Costs, ECF No. 123); and

WHEREAS, on December 11, 2019, Plaintiff's counsel, Dana Whitfield, filed a motion to withdraw as attorney for Plaintiff (Motion to Withdraw, ECF No. 127); and

WHEREAS, by Order dated December 13, 2019 (12/13/19 Order, ECF No. 128) Plaintiff's counsel was directed to show cause, no later than December 20, 2019, why "satisfactory reasons" exist to grant the Motion to Withdraw prior to any papers being filed in opposition to the pending Motion for Attorney Fees and Costs, and why Plaintiff's counsel should not file any opposition papers prior to withdrawal; and

WHEREAS, on December 20, 2019, in compliance with the 12/13/19 Order, Plaintiff's counsel filed a Memorandum of Law (ECF No. 129) and Declaration (ECF No. 130) in support of the Motion to Withdraw.

NOW, THEREFORE, it is hereby ORDERED, as follows:

1. A hearing on the Motion to Withdraw will take place in Courtroom 11C, 500 Pearl Street, New York, New York, on January 14, 2020, at 3:00 p.m.
2. In addition to Ms. Whitfield, plaintiff Leander C. Pickett is required to attend this hearing. Other parties are not required to attend. If Mr. Pickett fails to attend, the Motion to Withdraw shall be unconditionally granted.
3. Ms. Whitfield shall arrange for the delivery either by hand, overnight delivery, email, or other equally expeditious means to Mr. Pickett of (a) a copy of this Order and (b) a copy of her papers moving to withdraw. She thereafter shall make all reasonable efforts to confirm with Mr. Pickett by telephone, email, or in person that the copy of this Order and the motion papers were actually received by him, that he is aware that he must appear at the Court hearing on January 14, 2020, at 3:00 p.m.
4. On or before January 2, 2020, Ms. Whitfield shall file with the Court an affidavit or declaration indicating her compliance with paragraph 3 of this Order.
5. In light of the January 14, 2020 hearing on the Motion to Withdraw, the deadline to file Plaintiff's papers in opposition to the Motion for Attorney Fees and Costs is extended *sine die*, and such deadline shall be reset at the January 14 hearing.

SO ORDERED.

DATED: New York, New York
December 20, 2019

A handwritten signature in black ink, reading "Stewart D. Aaron", is positioned above a horizontal line. The signature is written in a cursive, slightly slanted style.

STEWART D. AARON
United States Magistrate Judge